

Message Text

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PAGE 01 KATHMA 03406 031030Z
ACTION NEA-11

INFO OCT-01 ISO-00 SCS-06 CA-01 L-03 /022 W
-----009158 031243Z /50

R 030931Z JUL 78
FM AMEMBASSY KATHMANDU
TO SECSTATE WASHDC 2485

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E.O. 11652: N/A
TAGS: TPHY, NP
SUBJECT: MANASLU CLAIM SETTLED

REF: KATHMANDU 2836

1. UNDER SECRETARY MINISTRY OF TOURISM, SHAILENDRA RAJ SHARMA, TOLD EMBOFF JUNE 30, THAT MINISTRY OF LAW AND JUSTICE HAD APPROVED LEGAL ASPECTS OF MANASLU EXPEDITION COMPENSATION PROPOSAL. AS RESULT PROPOSAL HAS BEEN ACCEPTED--I.E. RS. 70,000 OFFERED BY EXPEDITION WILL BE SUFFICIENT TO MEET REQUIREMENTS OF THIS CASE. SINCE MOUNTAIN TRAVEL, EXPEDITION'S AGENT HERE IN KATHMANDU, HAS THIS SUM ON ACCOUNT, MATTER IS IN EFFECT CLOSED TO SATISFACTION OF ALL.

2. EMBASSY BELIEVES IT WOULD BE USEFUL TO TRY CONFIRM PRECEDENT CREATED BY MANASLU CASE FOR POSSIBLE APPLICATION IN CASE OF FUTURE EXPEDITIONS. AS FIRST STEP, EMBASSY PLANS TO ASK MINISTRY OF TOURISM FOR CONFIRMATION THAT THE ENGLISH LANGUAGE TRANSLATION OF THE "MOUNTAINEERING RULES, 1976/ PUT OUT BY THE NEPAL PRESS DIGEST IS A FAIR AND ACCURATE RENDITION OF THE ORIGINAL NEPALI. FYI IT WAS THE LANGUAGE IN THIS TRANSLATION WHICH THE MANASLU GROUP USED TO ESTABLISH THAT THE INDIVIDUALS KILLED AND INJURED WERE NOT ACTUALLY INVOLVED IN PORTERING DUTIES AT THE TIME OF THE ACCIDENT. THE MINISTRY, WHICH HAD INITIALLY REACHED A DIFFERENT CONCLUSION WORKING FROM THE NEPALI TEXT, APPARENTLY LIMITED OFFICIAL USE

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IN THE END AGREED THAT THE ENGLISH TRANSLATION DID ACCURATELY REFLECT THE INTENT OF THE ORIGINAL RULES. WE WOULD LIKE TO GET THE MINISTRY TO CONFIRM THIS TO US IN WRITING, WHILE AVOIDING PUTTING THEM MORE SPECIFICALLY ON THE SPOT IN TERMS OF INTERPRETING THE MEANING OF THE LANGUAGE USED. END FYI.

3. IN MEANTIME, WE THINK IT WOULD BE USEFUL FOR DEPT. TO

APPROACH VERN READ OR GLENN PORZAK AND SUGGEST THAT THEY SEEK TO DISSEMINATE HMG DECISION REACHED IN MANASLU CASE TO OTHER MOUNTAINEERS. WE HAVE IN MIND BRIEF REPORT ON DECISION AND BASIS THEREFORE CARRIED IN SOMETHING LIKE "APLINE INFORMATION", MONTHLY NEWSLETTER PUBLISHED FOR MOUNTAINEERS WHICH PERIODICALLY CARRIES NEWS ON NEW REGULATIONS, ETC. CLEARLY SUCH A REPORT SHOULD BE WRITTEN IN VERY FACTUAL, NON-CONTENTIOUS MANNER--I.E. IN NO WAY CHALLENGING OR CRITICIZING HMG. IF PORZAK/READ WANT TO WAIT OUTCOME OF OUR APPROACH TO HMG ON ACCURACY OF TRANSLATION, THAT MAY MAKE SOME SENSE. BUT EVEN IF MINTOURISM IS SLOW TO COME THROUGH WITH WRITTEN CONFIRMATION, WE STILL SEE UTILITY OF PUTTING ON PUBLIC RECORD WITHIN MOUNTAINEERING CIRCLES DEICISION REACHED IN MANASLU CASE.

4. WE WOULD APPRECIATE REPORT OF REACTION OF PORZAK/READ TO PARA 3 PROPOSAL.
HECK

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Message Attributes

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Draft Date: 03 jul 1978
Decaption Date: 01 jan 1960
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Disposition Action: RELEASED
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